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*Attorneys for Defendant  
Apartment Management Consultants, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA *ex rel.*  
PEGGY THORNTON, Realtor,

and

PEGGY THORNTON,

Plaintiff,

vs.

PORTOLA DEL SOL OPERATOR, LLC, a  
foreign limited-liability company; TMIF II  
PORTOLA, LLC, a foreign limited-liability  
company; APARTMENT MANAGEMENT  
CONSULTANTS, LLC, a foreign limited  
liability company; and RENE  
RICHARDSON, as AGENT of PORTOLA  
DEL SOL OPERATOR, LLC,

Defendants.

Case No. 2:21-cv-01123-APG-BNW

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
RESPONSE TO COMPLAINT**

**(Sixth Request)**

1 Plaintiff Peggy Thornton (“Plaintiff”) and Defendant Apartment Management Consultants,  
 2 LLC (“Defendant” or “AMC”), by and through their undersigned counsel, for good cause shown,  
 3 hereby stipulate and agree to extend AMC’s deadline to file its response to Plaintiff’s Complaint  
 4 [ECF No. 1] from May 10, 2023 to **May 25, 2023**, to continue to facilitate the Parties’ settlement  
 5 discussions:

- 6 1. Plaintiff filed the Complaint on June 14, 2021 [ECF No. 1].
- 7 2. The Complaint was unsealed on December 9, 2022, upon the United States declining  
 8 intervention [ECF No. 18].
- 9 3. AMC’s response to the Complaint was originally due on January 18, 2023.
- 10 4. The Parties had informally agreed to extend the deadline to respond to February 1,  
 11 2023, prior to AMC retaining counsel.
- 12 5. Undersigned counsel, Snell & Wilmer L.L.P., was retained to represent AMC on or  
 13 about January 26, 2023.
- 14 6. The Parties previously stipulated to extend the deadline for AMC to respond to the  
 15 Complaint.
- 16 7. AMC initially needed more time to evaluate the complaint because it has not served  
 17 as property manager for the apartment complex at issue for several years and needed to locate  
 18 relevant documents. Plaintiff then generously provided AMC with the underlying contracts and  
 19 leases at issue in this dispute, which AMC’s counsel has been analyzing to assess Plaintiff’s claims.
- 20 8. At the same time, undersigned counsel and their core litigation team were faced  
 21 some personal obstacles that impeded their ability to work, including the post-partum  
 22 hospitalization of a spouse and a school-age child currently suffering from COVID.
- 23 9. The Parties’ counsel subsequently requested an extension until April 10, 2023, to  
 24 engage in an initial settlement discussion.
- 25 10. That process has been fruitful, and Plaintiff has made a settlement demand,  
 26 including an iteration for a **global resolution of this matter**. To that end, AMC is in the process  
 27 of evaluating the offer with its fellow defendants.
- 28

11. To facilitate that process, the parties stipulated to an additional 30 days for AMC to respond to the complaint, which the Court granted.

12. AMC originally believed that this 30-day period would provide sufficient time for all parties to determine whether they can agree on settlement terms.

13. While AMC has worked diligently to that end, it has had to navigate and assess several complex issues, including prior contractual relationships with other defendants.

14. The Court recently granted defendant TMIF's request to extend its deadline to file a reply in support of its motion to dismiss until May 25, 2023, to facilitate these settlement negotiations. [ECF No. 48].

15. AMC respectfully requests an extension of its answering deadline until the same **May 25, 2023** deadline given that it relates to the same global settlement negotiations.

16. This extension will also continue deferring the considerable attorneys' fees associated with AMC responding to the complaint and thus be conducive to settlement.

17. This extension request is sought in good faith and is not made for the purpose of delay.

THEREFORE, Plaintiff and AMC therefore request an extension for AMC to file its response to the Complaint until **May 25, 2023**.

Dated: May 10, 2023

NEVADA LEGAL SERVICES, INC.

By: /s/ Elizabeth S. Carmona  
Elizabeth S. Carmona, Esq.  
Kristopher S. Pre, Esq.  
530 S. 6th St.  
Las Vegas, NV 89101

*Attorneys for Plaintiff Peggy Thornton*

Dated: May 10, 2023

SNELL & WILMER L.L.P.

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*Attorneys for Defendant Apartment  
Management Consultants, LLC*

### ORDER

IT IS SO ORDERED

DATED: 8:45 pm, May 11, 2023



BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **STIPULATION AND ORDER TO EXTEND DEADLINE TO FILE RESPONSE TO COMPLAINT** by method indicated below:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY PERSONAL DELIVERY:** by causing personal delivery by, a messenger service with which this firm maintains an account, of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.
- ☐ **BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

DATED May 10, 2023

/s/ Maricris Williams  
An employee of SNELL & WILMER L.L.P.

4889-8614-7683